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| Request for Continued Examination (RCE) Transmittal | Application Number | 10/607,077   (Conf. No. 1068) |
|---|---|---|
| | Filing Date | June 25, 2003 |
| | First Named Inventor | Matthew Ashby |
| Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Art Unit | 1637 |
| | Examiner Name | Teresa E. Strzelecka |
| | Attorney Docket Number | ASHBY/001 DIV |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

   a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

       i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

       ii. ☐ Other _____

   b. ☒ Enclosed

       i. ☒ Amendment/Reply        iii. ☐ Information Disclosure Statement (IDS)

       ii. ☐ Affidavit(s)/ Declaration(s)     iv. ☒ Other Declaration of Matthew Ashby Under 37 CFR 1.132

2. **Miscellaneous**

   Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

   a. ☐ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

   b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
   The Director is hereby authorized to charge the following fees any underpayment of fees or credit any overpayments to

   a. ☒ Deposit Account No. 06-1075, Order No. 000609.0001.102. _____

       i. ☒ RCE fee required under 37 CFR 1.17(e)

       ii ☒ Extension of time fee (37 CFR 1.136 and 1.17)

       iii ☐ Other _____

   b. ☐ Check in the amount of $ _____ enclosed

   c. ☐ Payment by credit card (Form PTO-2038 enclosed)

   WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
|---|---|---|---|
| Signature | *[signature]* | Date | December 23, 2008 |
| Name (Print/Type) | James F. Haley, Jr. | Registration No. | 27,794 |

| CERTIFICATE OF MAILING OR TRANSMISSION | | |
|---|---|---|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. | | |
| Signature | | |
| Name (Print/Type) | | Date |

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